

CHAP. 87.

Non-user.

and the neglect or failure of such depositing, bedding, or sowing, shall be deemed and held to be a non-user, and the said depot, in that event, may be adopted and appropriated by any other citizen as aforesaid, for the purposes of this act, in the [summer] as if the said depot had been vacant, and subject to the like limitations, conditions and penalties, as are contained herein and provided for.

The foregoing section not to extend to the waters of the Western Shore.

Sec. 4. *And be it enacted*, That the foregoing sections of this act shall not be construed to extend in any manner whatsoever, to the waters of the Western Shore of this state.

Penalty for taking oysters from depots on Western Shore waters.

Sec. 5. *And be it enacted* That it shall not be lawful for any person or persons, to take, catch, carry away, or otherwise destroy, any oysters or other shell fish which may have been, or may hereafter be, planted, placed, or otherwise deposited on the bed of any of the bays, rivers, creeks, or their tributary streams, on the Western Shore of this state, without the consent of the person or persons, who may have planted, or may hereafter so plant, place, or otherwise deposit the same, (subject to the restrictions hereafter mentioned) under the penalty of fifty dollars, for each and every offence, which penalty shall be recoverable before [the] justice of the peace, in the same manner as small debts are or shall be, recoverable by law, one half to the use of the informer, and the other half for the benefit of the School Fund of the county where the offence shall have been committed.

Other than citizens of the county prohibited from taking oysters, &c —penalty.

Sec. 6. *And be it enacted*, That it shall not be lawful for any person or persons, other than the citizens of the counties bordering on [same] waters, to form beds of, or otherwise deposit, or to take, catch, carry away, or otherwise destroy, any oysters or other shell fish, within three hundred yards of low water mark, of either shore of said bays, rivers, or creeks.

Proprietors may join depots.

Sec. 7. *And be it enacted*, That the citizens of the counties binding on said waters may join beds, or otherwise deposit, oysters or other shell fish, within the said prescribed limits:

Limitation.

*Provided*, no one person shall have the right to appropriate to himself, or herself, more than two acres superficies, which shall be so designated as not to interfere with, or in any manner whatever obstruct the hauling of seines, or any purposes of navigation.

Right to inlets, &c

Sec. 8. *And be it enacted*, That where any creek, cove, or inlet, makes into the land of any owner, or other lawful occupant of the same, which creek, cove or inlet, does not at its mouth exceed one hundred yards in breadth, such owner, or other lawful occupant, shall have the exclusive right to use the same; provided nothing herein contained shall be construed so as to authorise any obstruction to the purposes of navigation.

Proviso.

Right to form oyster beds common to the citizens of the state.

Sec. 9. *And be it enacted*. That the right to form beds, or otherwise deposit oysters or other shell fish, within the waters of this state, and to use the same, (except as hereinbefore ex-